

NEW HAMPSHIRE SUPREME COURT
ORAL ARGUMENT LIST
JUNE 2006

The cases listed are scheduled for argument in June 2006. Attorneys and parties are reminded of the following:

1. The morning session will begin at 9:30 a.m. Persons presenting oral argument in the morning must check in with the receptionist by 9:00 a.m. The afternoon session will begin at 1:00 p.m. Persons presenting oral argument in the afternoon must check in by 12:30 p.m.
2. The order of the arguments is subject to change.
3. The amount of time allotted to each party is shown. The court intends to limit the attorney or party presenting the argument to the allotted time. If an attorney or party intends to divide the allotted time with another person or persons, or intends to reserve a portion of the allotted time for rebuttal, the attorney or party should notify the courtroom monitor before the session begins. No more than two minutes may be reserved for rebuttal.
4. The justices intend to refrain from asking questions during the first three minutes of each person's argument; this period of non-questioning may be waived. Persons presenting oral argument should assume that the court is familiar with the facts.
5. To waive oral argument: (a) a stipulation of all parties for submission on briefs must be filed at least 10 days prior to the scheduled argument date and the stipulation must be accepted by the court; or (b) a motion to waive argument must be filed no later than 20 days prior to the scheduled argument date and the motion must be granted by the court. See Rule 18(7).
6. The moving party is responsible for presenting and transmitting the portions of the record necessary to decide the questions of law presented by the case. See Rules 13 and 14.

N O T I C E

IT IS A CLASS B FELONY TO CARRY A FIREARM OR OTHER DEADLY WEAPON AS DEFINED IN RSA 625:11, V IN A COURTROOM OR AREA USED BY A COURT.
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ANY PERSON WHO REQUIRES AN AUXILIARY AID TO HEAR ORAL ARGUMENT SHOULD NOTIFY THE CLERK OF COURT AS FAR IN ADVANCE AS POSSIBLE SO THAT THE EQUIPMENT CAN BE AVAILABLE.

2005-0819 Appeal of Town of Hampton
(public employee labor relations board)
Elizabeth A. Bailey for Town of Hampton (15 min.)
J. Joseph McKittrick for Hampton Police Association (15 min.)
Attorney General

HICKS, J., DISQUALIFIED

HICKS, J., DISQUALIFIED

HICKS, J., DISQUALIFIED

Wednesday, June 7, 2006, beginning at 1:00 p.m.:

2005-0718 Appeal of Exeter Police Association
 (public employee labor relations board)
 McKittrick L/O (J. Joseph McKittrick) for Exeter Police Association
 (15 min.)
 FS&C (Daniel P. Schwarz) for Town of Exeter (15 min.)
 Attorney General

2005-0787	WMUR Channel Nine O&R (Emily G. Rice) (15 min.)	v.	New Hampshire Department of Fish and Game Attorney General (Daniel J. Mullen) (15 min.)
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BRODERICK, C.J., DISQUALIFIED

2005-0028	State of New Hampshire Attorney General (Nicholas P. Cort) (15 min.)	v.	Robert W. Bruedle Desfosses L/O (Sven D. Wiberg) (15 min.)
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2004-0435 Appeal of Town of Bethlehem
 (department of environmental services)
 Brenda E. Keith for Town of Bethlehem (15 min.)
 Bryan K. Gould for North Country Environmental Services, Inc.
 (15 min.)
 Attorney General

Thursday, June 8, 2006, beginning at 9:30 a.m.:

2005-0834	New Hampshire Insurance Guaranty Association NP (Mark D. Robins, <u>pro hac</u> <u>vice</u>) (15 min.) (John E. Friberg, Jr.)	v.	Jonathan Okongwu and Dahlia Reid, Ind. & a. W&N for Elliot Hospital (Gary M. Burt) (15 min.) Amici: M&M (Michael F. Aylward) for New Hampshire Medical Malpractice Joint Underwriting Association and ProMutual Insurance Group
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GALWAY AND HICKS, JJ., DISQUALIFIED

2006-0024	OB/GYN Associates of Southern New Hampshire M&O (Robert J. Meagher) (15 min.)	v.	New Hampshire Insurance Guaranty Association NP (Mark D. Robins, <u>pro hac vice</u>) (15 min.) (John E. Friberg, Jr.)
2005-0686	Gloria Jean Lacasse NC&O (James F. Lafrance) (15 min.)	v.	Spaulding Youth Center DM&B (Mark T. Broth) (15 min.)
2005-0089	In the Matter of Karen Birmingham and Gregory Birmingham W&N (Carol L. Kunz) for Gregory Birmingham (15 min.) Richards L/O (Edward W. Richards) for Karen Birmingham (15 min.)		

HICKS, J., DISQUALIFIED

Thursday, June 8, 2006, beginning at 1:00 p.m.:

2005-0627 Appeal of Pinkerton Academy
 (public employee labor relations board)
 MGR&M (Linda S. Johnson) for Pinkerton Academy (15 min.)
 NEA-NH (James F. Allmendinger) for Pinkerton Academy Teachers'
 Association (15 min.)
 Attorney General

2005-0649	State of New Hampshire	v.	James J. Hall
	Attorney General		K&R
	(Jeffrey A. Strelzin)		(John P. Kacavas)
	(15 min.)		(15 min.)

BRODERICK, C.J., DISQUALIFIED

To be submitted on briefs, without oral argument:

2005-0182	State of New Hampshire	v.	Sharrod Bennett
	Attorney General		Appellate Defender
	(Kirsten B. Wilson)		(Theodore Lothstein)

2005-0640	Carlos L. Martinez and Janet	v.	Laura Nicholson and Stephen D.
	M. Martinez		Grigg
	H&U		Griffin L/O
	(Quentin J. Blaine)		(Barbara J. Griffin)

Date: May 5, 2006

Attest: _____
 Eileen Fox, Clerk